

The Learned and Loyal
ABRAHAM COWLEY's
Definition of a Tyrant,

(Published by the Present Lord Bishop of Rochester)

IN HIS

Discourse concerning the Government of Oliver Cromwell.

I Call him a Tyrant, who either Intrudes himself forcibly into the Government of his Fellow-Citizens, without any legal Authority over them, or who, having a just Title to the Government of a People, abuses it to the destruction or tormenting of them: So that all Tyrants are at the same time Usurpers, either of the whole, or at least of a part of that Power which they assume to themselves, and no less are they to be accounted Rebels, since no man can Usurp Authority over others, but by Rebelling against them who had it before, or at least against those Laws which were his Superiours.

Several Queries proposed to the Sages of the LAW, who have Studied to Advance the Publick, equally with, if not more than their own private Interest.

Q. I. *Whether the Legislative Power be in the King only, as in his Politick Capacity, or in the King, Lords, and Commons, in Parliament Assembled? If in the latter, then*

Q. II. *If the King grants a Charter, and thereby great Franchises and Priviledges, and afterwards, the Grantees obtain an Act of Parliament for the Confirmation hereof, is this the Grant of the King, or of the Parliament? If the latter, as it seems to be, because it is done by the whole, and every part of the Legislative Power, then*

Q. III. *To whom can these Grantees forfeit this Charter? and who shall take Advantage of the Forfeiture? If the King, then an Act of Parliament may be destroyed without an Act of Parliament. If the Parliament only can call them to an Account, then*

Q. IV. *Of what Validity is a Judgment pronounced (under a colour of Law) in B. R. against a Charter granted by Parliament? If it be of any force, then the King's Bench is Superiour to the Legislative Power of the Kingdom; If not, then*

Q. V. *What Reason can be assigned, why it is not as safe to Act pursuant to an Act of Parliament, notwithstanding a Judgment entred in the King's Bench, as it was to Act against an Act of Parliament, before the Judgment was entered? And then,*

Q. VI. *Whether they that did the latter, were not right down Knaves, and whether they that refuse to do the former, be not more nice than wise?*